



**THE CITY OF NEW YORK
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January 16, 2018

VIA ECF

Honorable John G. Koeltl
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Aitabdella Salem v. City of New York, et al.,
17-CV-4799 (JGK)

Your Honor:

I am an Assistant Corporation Counsel and the attorney for defendants City of New York and Commissioner Joseph Ponte (hereinafter “City Defendants”) in the above-referenced matter. City Defendants write to respectfully request (i) a brief extension of time from January 19, 2018 to and including January 23, 2018 to file defendants’ motion to dismiss; and (ii) permission to file a memorandum of law with (5) additional pages beyond the page limitation set forth in Your Honor’s Individual Practices. Counsel for plaintiff consent to these requests.

As Your Honor is aware, plaintiff filed an Amended Complaint containing 352 paragraphs of factual allegations, and ten documentary exhibits, including two publications on alleged DOC policies and practices, each of which spans at least 20 pages. (*See* Docket Entry No. 51) Defendants have been diligently working finalize their motion papers. However, given the breadth of factual allegations in plaintiff’s Amended Complaint, defendants require a brief extension of time and several additional pages in order to fully address plaintiff’s claims.

For the reasons set forth above, defendants request (i) a brief extension of time from January 19, 2018 to and including January 23, 2018 to file defendants’ motion to dismiss; and (ii) permission to file a memorandum of law with (5) additional pages beyond the page limitation set forth in Your Honor’s Individual Practices. Should the Court be inclined to grant these requests, defendants propose the following schedule to complete briefing of defendants’ motion to dismiss: defendants serve and file their motion to dismiss on January 23, 2018; plaintiff serve and file his opposition, if any, by February 13, 2018; and defendants serve and file their reply, if any, by February 28, 2018.

Defendants thank the Court for its consideration herein.

Respectfully submitted,

/s/

ALEXANDER NOBLE
Assistant Corporation Counsel
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cc: Welton Kemilious Wisham (*By ECF*)
Counsel for Plaintiff